

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: CENTRAL IOWA POWER COOPERATIVE	DOCKET NO. E-21503
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ORDER GRANTING FRANCHISE

(Issued May 31, 2000)

On February 11, 2000, Central Iowa Power Cooperative (CIPCO), filed a petition, identified as Docket No. E-21503, with the Utilities Board for a franchise to erect, maintain and operate 5.38 miles of 72,500-volt transmission line in Cass County for the transmission, distribution, use, and sale of electric current for lighting, power, and heating purposes, under the provisions of Iowa Code chapter 478 (1999).

CIPCO has met the requirements of Iowa Code chapter 478 (1999) and 199 IAC chapter 11, and a franchise should be issued to CIPCO for the transmission line described in the petition.

FINDINGS OF FACT

1. No objections have been filed as provided for by Iowa Code chapter 478 (1999).
2. Notice of the petition was published as required by Iowa Code chapter 478 (1999).
3. CIPCO has filed an agreement to pay all costs and expenses of this franchise proceeding pursuant to Iowa Code § 478.4 (1999).

4. The transmission line is necessary to serve a public use. This conclusion is based on information provided pursuant to Iowa Code chapter 478 (1999).

5. The transmission line represents a reasonable relationship to an overall plan of transmitting electric energy in the public interest. This conclusion is based on information provided pursuant to Iowa Code chapter 478 (1999).

6. The transmission line will meet or exceed the minimum engineering requirements of the rules of this Board and will conform to the requirements of Iowa Code chapter 478 (1999).

7. Interests in real estate, where necessary, have been acquired for use by the Petitioner, and the right of eminent domain is not required.

8. The transmission line will be constructed near and parallel to railroad right-of-way or along division lines of the land, wherever practicable and reasonable, and so as not to unnecessarily interfere with the use of land by the occupants consistent with Iowa Code § 478.18 (1999).

9. Separate pole lines on both sides of a public road are authorized on the route of this electric line as provided for in 199 IAC 11.6(1) for 0.10 mile north of the intersection of Highways 148 and 92 near the SE corner of Section 28, and the SW corner of Section 27, T75N, R34W, Cass County, Iowa.

CONCLUSIONS OF LAW

1. The Utilities Board has jurisdiction of the parties and subject matter pursuant to Iowa Code chapter 478 (1999).

2. The Utilities Board has authority pursuant to Iowa Code chapter 478 (1999), to grant a franchise for the construction, erection, maintenance and operation of an electric transmission line outside the cities in the state for the transmission, distribution, or sale of electric current within the State pursuant to Iowa Code § 488.1 (1999).

IT IS THEREFORE ORDERED:

1. The petition is granted and a franchise shall be issued to Central Iowa Power Cooperative to construct, erect, operate, and maintain an electric transmission line as specifically described in the franchise, identified as Franchise No. 17432, attached to this order and incorporated by this reference.

2. The Board retains jurisdiction of the subject matter in this docket pursuant to Iowa Code chapter 478 (1999), and may at any time during the period of the franchise make such further orders as may be necessary.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.
Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 31st day of May, 2000.

FRANCHISE NO. 17432

On February 11, 2000, Central Iowa Power Cooperative (CIPCO) filed a petition, identified as Docket No. E-21503, with the Utilities Board (Board), for a franchise to erect, maintain, and operate 5.38 miles of 72,500-volt maximum voltage transmission line pursuant to Iowa Code chapter 478 (1999). Upon notice in accordance with Iowa Code chapter 478 (1999), the Board found the petition should be granted and a franchise issued to CIPCO.

Pursuant to the order of the Board and Iowa Code chapter 478 (1999), this franchise is issued and permission and authority are granted to CIPCO to erect, maintain, and operate a transmission line on routing specifically described for the transmission, distribution, use, and sale of electric current outside cities and town and for such purpose to erect, use, and maintain poles, wires, guy wires, towers, cables, conduits, and other fixtures and appliances necessary for conducting electric current for light, heat, and power, over, along, and across any public lands, highways, streams, or the lands of any person, company, or corporation and to acquire necessary interest in real estate for such purposes on and along the route particularly described in Exhibit A, attached to and incorporated by reference in this franchise.

This franchise is granted for a period of 25 years from the date of issuance unless revoked, modified, or terminated pursuant to Iowa Code chapter 478 (1999). This franchise shall be subject to and governed by all provisions, conditions, and requirements of Iowa Code chapter 478 (1999) and by all provisions, conditions, and requirements of the Utilities Board, as may be applicable. If the facilities authorized by this order are not built in whole or in part within two years from the date of the

order granting the franchise, this franchise shall be revoked unless CIPCO petitions the Board for an extension of time pursuant to Iowa Code § 478.21 (1999).

During the period of time this franchise is in force, the use of the right of eminent domain is not necessary and, therefore, not included by the Board in its order granting this franchise.

It is provided and understood this franchise is granted subject to the provisions of Iowa Code § 319.5 (1999).

It is further provided and is a condition of this franchise that the Board retain jurisdiction and may at any time during the period of this franchise make such further orders and regulations as may be necessary.

UTILITIES BOARD

/s/ Allan T. Thoms
Chairman

ATTEST:

/s/ Raymond K. Vawter, Jr.
Executive Secretary

Dated at Des Moines, Iowa, this 31st day of May, 2000.